

The August 3, 2016 Regular meeting was called to order at 7:00 pm by Supervisor Tollisen in the A. James Bold Meeting Room at the New Town Hall with the following members present:

Kevin J. Tollisen, Supervisor
Paul L. Hotaling, Councilman
Daphne V. Jordan, Councilwoman
John P. Wasielewski, Councilman
Lyn A. Murphy, Town Attorney
Lynda A. Bryan, Town Clerk

Jeremy W. Connors, Councilman - Excused
Cathy L. Drobny, Deputy Town Attorney - Excused

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

PRESENTATION: CHRIS MEYER -LEADERSHIP SARATOGA EMS COUNCIL PROJECT

Chris Meyer, from the Leadership Saratoga EMS Council Project., 17 Silo Drive, and a happy Town of Halfmoon resident for 11 years, I want to thank the Town Board for the outstanding job that you do running the town government. We have had an outstanding experience with every department in the town and it is a great place to live.

I am here tonight to share an experience that I have had the privilege to participate with in the past year, working with the Leadership Saratoga Program.

- Program with the Saratoga Chamber of Commerce to improve and strengthen the non-profit agencies in the county
- Amazing how much unpaid volunteer effort goes into making Saratoga County a great place to live.
- My team is helping the EMS Council of Saratoga County
- Educate the residents on the services the EMS provides
- More than the ambulance bringing you to the hospital, basically bring the hospital to you along with CPR classes, car seat checks, senior fall prevention
- Explaining how important volunteers are
- Revamped the website for the EMS Council and a video

Chris showed the video and had a request that it be able to go on the town's website to get the word out to town residents.

Supervisor Tollisen: That is certainly possible and we will make that happen.

Leah Ferrone, Director of Community Development, Publicity at the Clifton Park – Halfmoon Ambulance Corps; We are grateful for the Leadership group who invest so much time and effort to organize a comprehensive video to illustrate the agencies all across the county. We realize how lucky we are to have the support and financial backing across the board from Halfmoon and want to thank you again for everything. We will be here at the Concert & Fireworks as medical standby. We just hired 6 new staff members and a lot of new volunteers. Things are real good right now and down the road. Thank you!

Supervisor Tollisen: We just want to say that we appreciate you guys. You come to all of our community events and the level of professionalism and the care that you give to our residents is second to none, so we want to say thank you from the Town Board level.

Leah Ferrone: For everyone here, I want you to know that all of the town employees here took the CPR class and everyone on this panel can save a life! Thank you!

Supervisor Tollisen: Chris thank you very much for coming this evening and giving the presentation. We will work with you to get it on our website and Facebook page.

PRESENTATION: BILL HOBLOCK – KENSINGTON AT HALFMOON II PDD

Mr. Bill Hoblock with Capital District Properties here tonight to discuss The Kensington of Halfmoon Phase II, PDD it is proposed as a continuation of the existing Kensington of Halfmoon Multi-family community on the north side of Stone Quarry Road. We were here 4 months ago in April to bring the Town Board up to speed on the status of the proposed PDD and referred to the Planning Board. With the comments and recommendations from the Planning Board, we have done two things; we have decreased the number of units and overall density and increased the public benefit.

Bill Hoblock had a short power point presentation showing the topographical map of the area and pointed out the proposed PDD and the surrounding uses.

If you look at the surrounding uses like I said, you have commercial along Route 9, your multifamily which is us and then it transitions into single family. So when you look at this project from a land use perspective, it is your classic transition piece. It is ideally situated for the use that we are proposing. It is frankly an awkward parcel given what surrounds it, given the topography of it. The single family home already failed, it is not a commercial piece. We look at it as a good solution to a pretty awkward piece of property.

The history of the project; in 2006, it was actually approved by the town for 10 lot single family homes and that was never built, so we purchased it in 2008. The site plan is 7 buildings and as I said before, the same exact buildings as Kensington of Halfmoon across the street. Each building has 10 residences with 8 in building garages. The 2 units in the middle don't have an in building garage; they have a garage right next to the building. The overall elements to the site design exactly what we did across the road with street lamps, street trees, and sidewalks. The nice thing about this almost 17.5 acres stays green so we will do a community garden and nice walking trails. 1.2 acres will be covered by buildings and an additional 10% will be covered by road. When you look at it, 84% of the site remains green.

Density; the Town Zoning Code maximum in a multifamily PDD as 10 units per buildable acre, here we have 7.34 buildable acres. Under the new revised code there is a maximum density allowed of 73 units and we had proposed 70 units and after the Planning Boards negative recommendation, we have now eliminated one building reducing it to 60 top of the market apartments which is below the allowable density under the town code. When you go inside the residences, we are mimicking what is across the street. It is the highest level that you can build in a multifamily community. The residents that you would see here are the empty nesters from the area, Global Foundry and GE relocations and young professionals.

The public benefit is always a topic of discussion with any PDD. Because we did so many improvements for Phase I, a lot of the immediate needs in the area were taken care of. We upgraded the sanitary sewer capacity problem and put in a new line. We rebuilt the Birchwood Road pump station which is right off of Stone Quarry Road so we kind of took care of all the sewer issues in that part of town. VanDenBurgh Park also had some septic issues, we put a sewer system there and actually ran about a half a mile of line up Woodin Road to Ponderosa and anyone who wanted to tap into it could do it. Water issue, we looped the entire way from Route 9 all the way to Woodin, again with tap ins, so that was taken care of. Traffic improvements were massive to say the least. The intersection of Stone Quarry and

Woodin Road, we completely redesigned and reconstructed. Route 9 and Stone Quarry was also a problem, we brought the hump down to avoid accidents and put in a right turn lane on Stone Quarry so you can get out to Route 9 and help during peak times. The improvements that we did really make that local network road function a lot better. If we look at what is need as far as a PDD, we don't really know. Our last conversation, we were offering a \$1,000 public benefit per unit to the town, we are now offering \$1,500 per unit.

The Planning Board also had an issue with traffic. The way traffic studies work; we use the ITE, the Institute of Traffic Engineers and their assumptions. They have historic trips and an apartment generates a certain amount of trips in the am, and peaks. The Planning Board said that they did not like assumptions, that they need actuals. We had just recently completed the Paddocks in Saratoga in the Town of Wilton which is very comparable. So I said that I was going to do actuals from the Paddocks. It showed that that the trips generated are actually half of the ITE manual. They did not like the actuals from the Paddocks in Saratoga because it is not Halfmoon. The only real way to satisfy the Planning Board's concerns about traffic was to wait until Kennsington Phase I was complete and fully occupied and do actual traffic counts. That occurred at the end of last year and they are virtually identical to the Paddocks of Saratoga and half of the ITE numbers. So if you look at what will 60 units generate under the actuals from across the road, it is a little over 20 cars in the morning peak and fewer than 20 cars in the evening peak hours. We were also requested by the Planning Board we were asked about accident data in the area and we had Creighton Manning FOIL all of the accident data there have been no increase in accidents at any of the intersections surrounding Phase I and it is up and running in full.

After receiving a negative recommendation from the Planning Board, we decreased the density from 70 units to 60 units and increased the public benefit from \$1,000 per unit to \$1,500 per unit.

So, I am here to answer any questions and ask that a public hearing be set for the PDD application.

Supervisor Tollisen: Just a couple of questions. It was a considerable issue about the blasting in Phase I. You and I had many conversations and I want to make sure that we are very meticulous if the Board does go forward with this to make sure that those issues are addressed with residents. You just alluded to changes in the traffic counts based upon a lower density. Will you be providing an updated traffic analysis from Creighton Manning for that?

Bill Hoblock: What we will do next week is that we will submit two things; new site plan with removing the two buildings in its entirety to work off and I have Creighton Manning already working on the updated traffic study and that will be done Monday or Tuesday at the latest. Across the road was 32 acres and of the 32 acres, we probably touched (site work) 25, so there is a big parcel of land and there was blasting for a long time. The difference between there and here is that in Phase I it backs up to housing and here we have industrial on the 17 acres, it sits on a knoll so you really are only going to be doing work on about 7-8 acres. So when you take into account much less land and there is not a lot of single family homes and what we did for everyone was a pre-blast inspection of their homes and a post-blast and there were no claims ever made. I think that is significant. Whenever claims were made, we addressed them and took those very seriously, but at the end of the day there were no claims.

Supervisor Tollisen: I am not going to tell you how to go about doing your site plan but there are some resident in the Stone Quarry Road and paying attention to your site location to your units in relation to those residents that is something that the Town Board wants to pay particular attention to.

Bill Hoblock: Understood and agreed.

Councilman Hotaling: Have you had the fire house or anybody look at this yet?

Bill Hoblock: Not yet because we have not had any detailed engineering done yet. We haven't gone any further than this.

Councilman Hotaling: If you are going to take a building out, I'm throwing it out there to maybe talk to the Fire Chief for the District; it might be to everybody's benefit that if you take a building out that you have to move something, to do it once.

Bill Hoblock: Understood. Gotcha

Councilman Wasielewski: I was at the Planning Board meeting two weeks ago and there were a lot of concerns from the Planning Board, and I know that this has been going on for a couple of years, the reduction of that one building, is that the biggest difference from the Planning Board and tonight?

Bill Hoblock: We lessened the density and increased the public benefit from \$1,000 to \$1,500 per unit. I am trying to answer the two biggest questions of the past few years.

Councilman Wasielewski: So most of the public benefit was from Phase I

Bill Hoblock: That has already been done, yes. We look at what is the need in that area and unless I am wrong with my discussions with the Planning Board, we did so much with Phase I that there isn't much to do and that's why we figure that you're better off to have a contribution that you as elected officials can use appropriately instead of me trying to figure out where your problems are.

Councilman Wasielewski: Understood. Thank you.

Councilwoman Jordan: You mentioned a blasting plan. In that plan, how long is it foreseen is the blasting going to be going on?

Bill Hoblock: I don't have an answer to that, but I will at the next meeting. I don't want to guess and give you a wrong answer.

Councilman Wasielewski: I would like to request that we have an expanded notification.

Attorney Murphy: For the expanded notification you would need parameters, because adjoining properties is the typical legal notification. So if you send from a road end

Councilman Wasielewski: That is difficult for me to say at this point who might be impacted by blasting. I'm not sure how far the rumblings might go. How far were the complaints in Phase I?

Bill Hoblock: Adjacent land owners

Councilman Wasielewski: I would like to request to the intersection of Crescent and Stone Quarry

Supervisor Tollisen: So the entire Stone Quarry Road?

Councilman Wasielewski: Yes, please. They will all be impacted by the traffic of this project.

RESOLUTION NO. 255

Offered by Councilman Wasielewski, seconded by Councilwoman Jordan: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board sets a Public Hearing for The Kensington at Halfmoon Phase II PDD for August 17, 2016 at 7:00 pm or as soon as the agenda allows with an expanded notification to include all of Stone Quarry Road and continue to Crescent Road.

Bill Hoblock: Thank you very much.

PUBLIC HEARING: PARCLAND ESTATES PDD AMENDMENT (Also known as Carol Jean Estates)

Supervisor Tollisen asked if anyone wanted the Public Hearing read. No one came forward:

PUBLIC HEARING OPENED AT – 7:41 pm

Jeff Williams, Bruce Tanski Construction and Development:

- PDD located off Cemetery Road consisting of twelve 8-unit apartment buildings on 11.62 acres totaling 96 apartment units
- Proposed amendment consists of adding 0.60 acres of property located at 86 Cemetery Road and constructing one (1) additional 8-unit apartment building
- Proposed changes will create a total area of 12.22 acres and increase the total units from 96 to a total of 104 apartments
- There is 62% green space with many trees as a buffer and a good addition to the existing apartment complex
- Planning Board gave a positive recommendation in June 2016 for the amendment back to the Town Board

Supervisor Tollisen: Do you access the new building through the existing complex?

Jeff Williams: Yes, there is no new access road. There will be no disturbance to Cemetery Road.

Supervisor Tollisen asked if anyone on the Board had any questions

Councilman Hotaling: I think it is a great thing putting that building in there. The curb cut away on a blind corner is a great safety issue.

Councilman Wasielewski: I think that it is a great improvement from what is there.

Councilwoman Jordan: I believe that it is a good change and blend in with what is already there and it's within the density that's allowed. I think that it's a good thing.

Supervisor Tollisen asked if anyone from the public had any questions. No one came forward.

PUBLIC HEARING CLOSED AT – 7:46 pm

RESOLUTION NO. 256

Offered by Councilman Wasielewski, seconded by Councilwoman Jordan: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board approves to adopt a negative declaration pursuant to SEQRA

RESOLUTION NO. 257

Offered by Councilman Wasielewski, seconded by Councilwoman Jordan: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board approves the amendment to the Parcland Estates Planned District Development as presented to construct one (1) additional building with eight (8) apartment units.

POLL OF THE BOARD:

Councilwoman Jordan -	Aye
Councilman Wasielewski -	Aye
Councilman Hotaling-	Aye
Supervisor Tollisen -	Aye

Jeff Williams: Thank you so much.

PUBLIC HEARING: MODIFICATION OF TOWN CODE FOR SOIL DISTURBANCE PERMITS

Supervisor Tollisen asked if anyone wanted the Public Hearing read. No one came forward:

PUBLIC HEARING OPENED AT – 7:47 pm

Attorney Murphy: Prior to the last round of zoning amendments, people were allowed to apply to any of the Boards and then proceed to clear property that was causing some consternation in that if there wasn't a plan in place, that the Board's hadn't given at least some sort of approval too, people were clearing land at their own risks. It was causing neighbors to be of concern to believe that they had gotten the approval even though they hadn't gotten an approval because they are removing property and causing a lot of confusion. In order to address the concerns of the residents and to enable the town to have better control of clearing done in the town, an amendment was made that prohibited any clearing until you were before a Board and have final approval. Upon reflection, that final approval takes a long time as it relates to outside agencies, different state agencies. The Board can grant a preliminary approval and allow the applicant to go to the outside agencies and then proceed to final approval. But the Planning Board and especially the Planning Departments are feeling that it would be better for the residents and the applicants to be able to proceed with any kind of clearing on a major subdivision once preliminary approval is granted. So this change to the Local Law would say if you are doing a major subdivision and you obtained preliminary approval, you can then start your grading process. If it is a commercial subdivision you would have to wait for final approval.

Supervisor Tollisen asked if anyone on the Board had any questions. No one had any.

Supervisor Tollisen asked if anyone from the public had any questions. No one came forward.

PUBLIC HEARING CLOSED AT – 7:49 pm

RESOLUTION NO. 258

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board approves to adopt a negative declaration for SEQRA

RESOLUTION NO. 259

Offered by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board approves the modification of the Code of the Town of Halfmoon §165-42 to permit an applicant to apply for a soil disturbance permit after receipt of preliminary approval for any subdivision submitted pursuant to the Code of the Town of Halfmoon §143-6 Major Subdivisions. All other applications shall receive final approval prior to the issuance of a soil disturbance permit when application is under review by the Town Board or the Planning Board.

COMMUNITY EVENTS:

**August 11th – Today’s Hits Cover Band - Town Park from 6:30 – 9:00pm
FIREWORKS TO FOLLOW**

American Legion Lobster Bake – August 13th Pre-sale tickets available at the Legion on Grooms Road

The 5th Annual Champlain Canalway Trail Bicycle Tour will take place on Sunday August 14th from 9:00 am to 4:30 pm and begin at Hudson Crossing near Lock 5 north of Schuylerville

The 2nd Annual Water Fun Day at St. Luke’s on the Hill on August 27th from 10:00 - 3:00 pm

American Red Cross Blood Drive, August 30th in the Town of Halfmoon A. James Bold Meeting Room from 1-6

Labor Day Concert – Navy Band Northeast Ceremonial Band playing at SPAC on Monday, September 5th at 2:00. This concert is Free to the public and tickets are available at all Saratoga County Stewart’s locations and Halfmoon Town Hall.

TOWN MEETINGS:

Town Board Meetings: 1st & 3rd Wednesday of month at 7:00 pm except May 7th at 2:00pm

Zoning Board of Appeals: 1st Monday of month at 7:00 pm.

Planning Board Meeting: 2nd & 4th Monday of month at 7:00 pm.

Board of Assessment Review: 4th Tuesday in May

Senior Center Business Meeting: 1st Wednesday of month at 1:00 pm

Halfmoon Historical Society: Last Tuesday of month at 7:00 pm

Open Space & Trails Committee: August 15, September 21, October 17 & November 16th.

Resident Relations Committee: March 30th at 7:00 pm

Business & Economic Development Committee: February 18th at 7:00 pm

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Kevin J. Tollisen (Town Supervisor)

I just want to go through very briefly about the some of the resolutions that are on for tonight that the town is going to be settling a bunch of items that have been ongoing for some time. The first item that the Town Board will be looking to approve tonight is a resolution in settlement of the litigation of the Town of Halfmoon versus General Electric. That is a case that has been ongoing prior to me, 2009 and it's a case that has really come to a head in the past year or so. The claims with the Town of Halfmoon were consisting of three different kinds of claims. One was called a CERCLA Claim, which is a claim under the Federal Super Fund Statute, the second is a Navigational Law Claim and the third was a Common Law Claim. Two parts of our lawsuit survived motions and would proceed to trial next month if this case was not settled. Based upon the advice of our Attorney's Nolan & Heller, the first resolution that you are going to see tonight is a resolution for the Town Board to approve a settlement for \$5.6 million dollars to the Town of Halfmoon from General Electric Corporation. They would pay that to the Town of Halfmoon and quoting from a letter from Nolan & Heller on August 2nd, our Attorney, Dave Engle do state that they recommend that the Town Board do accept the settlement and supporting our recommendation of settling in the amount of \$5.6 million dollars. Mr. Engle sets forth six points in his letter of why it is a good settlement for the town. Once signed by the town and General Electric the funds would be paid to our Attorney's in the escrow account in 14 days of execution. Halfmoon would release GE from any and all claims brought by this case and covers any claims up to the date of the agreement. The agreement also states that the payment is not reimbursement for any of the expenses that are funded by EPA. So the \$5.6 million dollars is actually in full settlement of the claims that the Town had against General Electric.

In addition to that, the Town of Halfmoon when this PCB dredging occurred needed to find an alternate water supply, and with that alternate water supply, EPA will pay to the town, with the few payments outstanding, will have paid to the town just over \$4,859, 000.00. The monies that the town received under the EPA water for the alternate supply will NOT have to be reimbursed under this agreement and specifically stated in Mr. Engles letter to the town. So in addition to the \$5.6 million dollars, the town has also received throughout this litigation matter, just over \$4.8 million dollars.

Additionally, the Town Board has correspondence from EPA's council that the EPA is looking to transfer that water line either to the Town of Halfmoon or the Town of Waterford or a combination. The Board is fully aware of my discussions with Supervisor Lawler with respect to that water line and what I have been told is the cost of that line when it was out in was upwards of \$15 million dollars. When you add up the \$5.6 million and the \$4.8 and the value of that water line, it's a considerable amount for the Town.

In case someone has a question with respect to the settlement, the original case requested damages in the amount of \$40 million dollars. A lot of the damages for the Town of Halfmoon had centered upon projected water costs for the town over the next several years after dredging was complete. It went out eight years because they needed to look at a certain span of the amount of time where the town would continue to be off the Hudson River due to the PCB's and the toxins that can potentially cause cancer to those who drink that water. That amount went down considerably as you will see in another resolution that we are going to be approving a twenty (20) year agreement with the City of Troy this evening that Troy will remain our primary source of water. For the Town of Halfmoon, it is a favorable contract for the Town of Halfmoon residents. We get good water from them and we believe that the City of Troy is a good partner with the Town of Halfmoon and will

continue to provide water. The water rates that we have in our contract are very favorable rates. They are less than \$2.00 per thousand that we will be getting from the City of Troy. I will tell you that's where part of the settlement and damages came down is because our experts were projecting that our costs were going to be upwards of \$4.00 per thousand and the expert reports are out there so I am not going to go through those. The end result is very favorable for our residents and therefore our damages are less. We are not going to create damages just to create damages; this is a matter of a very favorable contract for our town. The City of Troy contract also takes into account that the Town of Halfmoon is actively seeking a second source of water, a second water supply. We currently have a joint grant application with the Saratoga County Water Authority and the Town of Waterford and I don't remember the exact amount, but just over \$5 million dollars to extend the Saratoga County Water Authority line from the Town of Stillwater to Coons Crossing so that we can have a second source of water from the Water Authority for long term security and protection of our residents.

So, all of these things have led to the recommendation that the town accept this settlement. I am happy to report that my sleepless nights will go away a little bit with this all coming together settling the GE case and also solidifying the Troy contract. Lastly, there is a resolution on the agenda to approve a settlement with the Town of Waterford for \$900,000. The Town of Waterford sued the Town of Halfmoon for a breach of contract. We were purchasing water from the Town of Waterford. It was a claim just over \$7 million dollars that they were seeking and through these negotiations and discussions we were able to come to an agreement that the Town of Halfmoon would pay \$900,000 in full satisfaction of this claim. It will be paid in four (4) installments: the end of this year we would pay \$400,000 to Waterford and in years two (2) and three (3) we would pay \$200,000 each and then the final year we would pay \$100,000.

This brings to conclusion, all of our water matters to this point. In my estimation and I will not speak for our Director of Water but I think that I can that this now provides stability to our budget and long term we can project out improvements and things that we can do for our residents.

Paul Hotaling (Deputy Supervisor): (1) Chair of Parks & Recreation, (2) Chair of Town Infrastructure (Water, Highway, Building & Maintenance), (3) Chair of Character Counts, (4) Chair of Personnel Committee, (5) Chair of Safety Committee

The Summer Rec program is coming to a close. I really have to thank all of the departments; between highway, water, rec, parks, building & maintenance and our staff here, they have done so much this year. Everybody works together and if somebody needs help, no one says it's not my job, everybody rolls up their sleeves and pitches in. Hats off to our staff, especially water with all of the things that we have gone through. We couldn't ask more of our employees and our Town Board.

John Wasielewski (Town Board Member): (1) Chair of Ethics Committee, (2) Chair of Committee on Emergency Services and Public Safety (Emergency Corps, Fire Department, Police); (3) Chair of Committee on Resident Relations, (4) Liaison to Planning Board

No report this evening

Daphne Jordan (Town Board Member): (1) Chair of Business and Economic Development (2) Chair of Insurance (Liability and Medical) (3) Liaison to Open Space and Trails Committee, (4) Zoning Board Liaison

No report this evening

Jeremy Connors (Town Board Member): (1) Liaison to Planning Board; (2) Chair of Animal Control Committee (3) Chair of Committee on Not for Profit Organizations; (4) Co-Chair of Business & Economic Development Committee (5) Chair of Committee for Baseball/Athletic Organizations

Excused this evening

Lynda Bryan (Town Clerk): (1) Chair of Senior Programs, (2) Chair of Committee on Historical Archives (3) Co-Chair on Residence Relations Committee

As we all know we have been under severe heat warnings this summer. Please make an extra effort to check on our elderly neighbors and offer any assistance they may need.

Also, with all of the rain that we have been experiencing lately, I would encourage residents who have standing pools of water in their yards to come to the Town Clerk's Office to pick up FREE Mosquito Dunks. Each Dunk kills mosquito larvae for 30 days or longer.

The Halfmoon Historical Society will be having a ribbon cutting of the Tool Shed Building & Display that is next to the Society building on September 27th at 7:00 pm.

Supervisor Tollisen: Just to further speak about the dunks, you have heard on the television about the Zika virus, you should go to our website for more information about the Zika virus. You do see that the Zika virus seems to be expanding in the United States. Those dunks do work pretty well because those types of mosquitos do breed in water areas. Please take advantage of the complimentary dunks that the Saratoga County Board of Supervisors authorized payment of.

One last item I wanted to bring up is the Senior Citizens and the Town of Halfmoon are having a joint picnic, our Annual Picnic on Thursday, August 18th and I am told by our liaison to the seniors that there is over 200 seniors signed up to come! That is going to be a great day with our seniors.

Amanda Smith (Recreation Director): (1) Liaison to Halfmoon Celebrations Committee

Lyn Murphy, Esq., (Town Attorney) – No report this evening

Cathy Drobny, Esq. (Town Attorney) - Excused

PUBLIC COMMENT (for discussion of agenda topics) No one came forward

DEPARTMENT REPORTS –month of July

1. Senior Express Total # Riders – 316 Total # Meals – 617
2. Town Justice Wormuth
Total # Cases – 194 Total Fees Submitted to the Supervisor - \$25,133
3. Town Justice Suchocki
Total # Cases – 245 Total Fees Submitted to the Supervisor - \$35,282.25
4. Building
Total # Permits – 109 Total Fees Submitted to the Supervisor - \$16,106.50
5. Fire
Total # Permits – 10 Total Fees Submitted to the Supervisor - \$750

6. Safety Inspections

Total # Permits – 69 Total Fees Submitted to the Supervisor - \$3,400

DEPARTMENT MANAGER MONTHLY REPORTS – (Can be viewed at the Town Clerk's Office) month of July

Receiver of Taxes, Town Clerk, Grant Department, Water Department, Planning Department, and Animal Control

CORRESPONDENCE

1. **Received** from the Town Planning Board Resolutions approved at the July 25th meeting: Sign Application for Financial Engines, 1581 Route 9, for a Change of Use/ Tenant Application for Justin's Automotive Repair and Services, LLC, 930 Hudson River Road, for Approval of a Special Use Permit for Jon & Diane Riedel, 55 Plank Road and Regarding a Negative Recommendation for Kensington at Halfmoon II PDD

Received & Filed

2. **Received** from Michael Buonanno his letter of resignation from the Highway Department, effective August 31, 2016.

Received & Filed

3 **Received** from the NYS Department of Transportation notification that they have received our requests for traffic studies at the intersections of Route 9 & Stone Quarry Road and Route 146 & Werner Road. They state that they have also received requests from private citizens and will be waiting to collect the traffic volume data until after the start of the 2016-2017 school years in September and will notify us with their conclusions.

Received & Filed

OLD BUSINESS

RESOLUTION NO. 260

Offered by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board that the Town Board continues to TABLE the bid to Alpine Construction, LLC for the construction of the project entitled Preservation of the Champlain Canal Structures, per the review and approval of the Town Attorney that was TABLED from the July 20, 2016 meeting until the next meeting of August 17, 2016.

RESOLUTION NO. 261

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board that the Town Board hereby approves a modification to the Fellows Road Planned Development District to permit two of the previously approved duplex lots to be used for single family homes instead of duplexes thereby reducing the residential units at the location from four units to two units and finds that this modification is consistent with the previous SEQRA determination.

POLL OF THE BOARD:

Councilwoman Jordan - Aye
Councilman Wasielewski - Aye
Councilman Hotaling- Aye
Supervisor Tollisen - Aye

NEW BUSINESS

RESOLUTION NO. 262

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board approves and orders paid Vouchers numbered 1533-1644

===== FUND TOTALS =====

10 GENERAL FUND	\$146,903.34
20 HIGHWAY FUND	\$121,977.90
25 SPECIAL REVENUE	\$1,497.50
30 CONSOLIDATED WATER	\$126,211.84
35 MISC. CAPITAL FUNDS	\$52,571.80
ABSTRACT TOTAL:	<hr/> \$449,162.38

RESOLUTION NO. 263

Offered by Councilwoman Jordan, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board approves the minutes of Town Board meeting of July 20, 2016 as presented.

RESOLUTION NO. 264

Offered by Councilwoman Jordan, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board approves the proposal extending the Tax Exemption Agreement for 32 units of affordable low-income housing at \$450 per unit, dated June 19, 2001 for fifteen years made between the Town of Halfmoon and Halfmoon BDC Limited (Belmont Management CO.) for an additional fifteen years as follows:

2018-2022	\$600 per unit
2023-2027	\$650 per unit
2028-2032	\$700 per unit

RESOLUTION NO. 265

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board appoints Don Roberts as Chairman of the Planning Board effective immediately.

POLL OF THE BOARD:

Councilwoman Jordan -	Aye
Councilman Wasielewski -	Aye
Councilman Hotaling-	Aye
Supervisor Tollisen -	Aye

RESOLUTION NO. 266

Offered by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board authorizes the renewal of Mobile Home Park Licenses for the 2016-2017 licensing year per the inspection and approval of the Director of Code Enforcement as follows: Crescent City Mobile Home Park, Crescent Garden Mobile Home Park and Martindale Mobile Home Park.

RESOLUTION NO. 267

Offered by Councilwoman Jordan, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

WHEREAS, the Town Board is cognizant of the importance of creating recreational opportunities for residents to safely enjoy, and

WHEREAS, the Town Board has previously authorized the hiring of Weston & Sampson to do a project/feasibility concept design for a dog park for the Town of Halfmoon in the not to exceed amount of \$4,800, and

THEREFORE BE IT RESOLVED, that the Town Board hereby approves the expenditure of an \$4,800.00 for the services of Weston & Sampson involving a project/feasibility concept design for a dog park in the Town of Halfmoon, said monies to come from the recreation fees from special revenue fund, and to authorize the Supervisor to sign and all documentation needed to proceed with this project.

RESOLUTION NO. 268

Offered by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board authorizes the Supervisor to sign the Paar Estates PDD Water Extension Agreement, per the review and approval of the Town Attorney.

RESOLUTION NO. 269

Offered by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board authorizes letting bids for a 2016 Braun Entervan rear loading wheelchair accessible van, or its reasonable equivalent for the Senior Center to be opened Tuesday August 16, 2016 at 2:00pm, per the review and approval of the Town Attorney.

Supervisor Tollisen: This is another that is going to replace a van from our fleet for our seniors.

RESOLUTION NO. 270

Offered by Councilman Hotaling, seconded by Councilman Jordan: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board authorizes the Town Supervisor to execute any and all documentation necessary to accept the grant from the Office for the Aging for partial payment of a handicap accessible van for the Senior Center.

Supervisor Tollisen: This is part of resolution #8. Fortunately we were able to secure again a grant through the Saratoga County Office for the Aging to partially pay for this van. We are going to be receiving a grant in the amount of \$25,000 towards the van. Obviously a good thing once again.

RESOLUTION NO. 271

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board appoint Weston & Sampson to perform architect and design services for the creation of a Veterans Memorial to be paid out of Special Revenue Fund Recreation Fees in the amount not to exceed \$12,600, and for the Town Supervisor to sign agreement on behalf of the Town, subject to review and final approval of the Town Attorney.

Supervisor Tollisen: This is a project that will probably go into next year. We are looking into putting a Veteran's Memorial in the Town Park. Weston & Sampson has designed the Town Park and they will be the design architects on this again and we have already met including the American Legion and have requested the VFW to help us too. This is going to be a great thing for our town and something that's much needed to honor our veterans.

RESOLUTION NO. 272

Offered by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board authorizes the Supervisor to enter into a proposed settlement of Case No. 1:09-cv-00228 entitled Town of Halfmoon against General Electric Company based upon payment from General Electric Company to the Town of Halfmoon of five million six hundred thousand dollars and to authorize the Supervisor to execute any documents necessary to settle the pending law suit, subject to the review and approval of the Town Attorney.

POLL OF THE BOARD:

Councilwoman Jordan -	Aye
Councilman Wasielewski -	Aye
Councilman Hotaling-	Aye
Supervisor Tollisen -	Aye

RESOLUTION NO. 273

Offered by Councilman Hotaling, seconded by Councilman Jordan: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board authorizes the Supervisor to enter into a proposed settlement of Index No. 20123709 entitled Water Commissioners of the Town of Waterford against Town of Halfmoon, to pay the Water Commissioners of the Town of Waterford the sum of \$400,000 on or before December 31, 2016, \$200,000 on or before December 31, 2017, \$200,000 on or before December 31, 2018 and \$100,000 on or before December 31, 2019 and to authorize the Supervisor to execute any documents necessary to settle the pending law suit, subject to the review and approval of the Town Attorney.

POLL OF THE BOARD:

Councilwoman Jordan -	Aye
Councilman Wasielewski -	Aye
Councilman Hotaling-	Aye
Supervisor Tollisen -	Aye

Supervisor Tollisen: The total sum of that is \$900,000

RESOLUTION NO. 274

Offered by Councilman Wasielewski, seconded by Councilwoman Jordan: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board authorizes the Supervisor to enter into an Agreement with the Town of Waterford whereby the Town of Halfmoon shall accept ownership of the waterline currently transmitting potable water from the City of Troy to the Towns of Waterford and Halfmoon and to authorize the Supervisor to execute any documents necessary to acquire ownership of the line, subject to the review and approval of the Town Attorney.

Supervisor Tollisen: Just for this resolution, discussions have been going forward and the town will be taking that line, that is not filed yet but assuming that does get filed, we would like to move on that as soon as possible. I want to be crystal clear that this has not been finalized yet, there are ongoing discussions with the Town of Waterford.

RESOLUTION NO. 275

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board authorizes the Supervisor to enter into an Agreement with the City of Troy pursuant to which the City of Troy will provide potable water to the Town of Halfmoon and to authorize the Supervisor to execute any documents to enter into the Agreement, subject to the review and approval of the Town Attorney.

Supervisor Tollisen: I just to pause and say that again this is for the Town of Halfmoon's contract. It's a good contract for the town. I do appreciate our Director of Water; he did a real good job negotiating quite a bit of this and our Town Attorney as well. Thank you both for your hard work on this.

POLL OF THE BOARD:

Councilwoman Jordan - Aye
 Councilman Wasielewski - Aye
 Councilman Hotaling- Aye
 Supervisor Tollisen - Aye

RESOLUTION NO. 276

Offered by Councilman Hotaling, seconded by Councilwoman Jordan: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board appoints Christina Pack as part-time Senior Van Dispatcher at Grade 1 Base Pay @ \$13.20/hr. effective immediately upon completion of pre-employment testing.

Supervisor Tollisen: Christina is here. Congratulations and welcome aboard!

RESOLUTION NO. 277

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Jordan

RESOLVED, that the Town Board authorizes the that the Town Board authorizes the Supervisor to make the attached Creation of Appropriations

A resolution is needed to create the following budget amendment of appropriations and revenues in the Special Revenue Fund for engineering fees for on-site quality inspections. These funds are developer's monies held in escrow by the Town in a regular checking account and used for the payment of costs for that particular project. This resolution is necessary to comply with proper accounting procedures as set forth by NYS Department of Audit and Control.

Debit: Estimated Revenues 25-510 \$680
 Subsidiary: 25-4-2189 Home & Community Services \$680

Credit: Appropriations 25-960 \$680
 Subsidiary: 25-5-1440.40 Engineering Contractors Inspections \$680

Information Only: The above was derived from the following breakdown of charges to be paid on the August Abstract for engineering and related fees

NAME	AMOUNT
Angle Lane Subdivision	\$680.00
Total	\$680.00

A creation of appropriations is necessary to increase the project budgetary accounts for the Preservation of Historic Champlain Canal Structures. The Town of Halfmoon will preserve and rehabilitate the stone arch culvert and wastewater weir of the Historic Champlain Canal located over McDonald Creek. The increase is \$150,000 which is a grant from the NYS Canal Corporation's 2011 Canalway Grant Program.

Debit: Estimated Revenues 35-510 \$150,000
 Subsidiary: 35-4-3089.00 - \$150,000
 Other NYS Grants

Credit: Appropriations 35-960 \$150,000
 Subsidiary: 35-5-7150.27 - \$150,000

Culture & Recreational – Parks

The following creation of appropriations is needed in the General Fund based on money received for newsletter advertising to date. This creation is for the quarterly distribution of the Halfmoon Navigator.

DEBIT:	Estimated Revenues	10-510	\$2,200
	Subsidiary: Other, Misc-Newsletter		
	10-4-2770.10 – \$2,200		
CREDIT:	Appropriations	10-960	\$2,200
	Subsidiary: Public Information & Serv		
	10-5-1480.40 - \$2,200		

PUBLIC COMMENT (for discussion of non-agenda items) No one came forward

There being no further business to discuss or resolve, on a motion by Councilman Hotaling and seconded by Councilwoman Jordan, the meeting was adjourned at 8:17 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk